

ORIGINAL

SEALED
BY ORDER OF THE COURT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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United States Attorney
District of Hawaii

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JAN 05 2023
at 1 o'clock and 18 min. M
John A. Mannie, Clerk

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. CR 23-0007 LEK
)
Plaintiff,) INDICTMENT
)
vs.) [21 U.S.C. §§ 841(a)(1) and
) 841(b)(1)(C)]
JOEY NISHIMURA,)
)
Defendant.)
)
)

INDICTMENT

The Grand Jury charges:

Possession with Intent to Distribute Methamphetamine
(21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C))

On or about February 2, 2022, within the District of Hawaii, JOEY NISHIMURA, the defendant, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

FORFEITURE NOTICE (Drugs)

1. The allegations set forth in Count 1 of this Indictment are hereby re-alleged and incorporated by reference as though set forth in full herein for the purpose of noticing forfeiture pursuant to Title 21, United States Code, Section 853.

2. The United States hereby gives notice that, pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Sections 841(a)(1) or 841(b)(1)(C), JOEY NISHIMURA, the defendant, shall forfeit to the United States of America any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any and all property used, or intended

to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses.

3. If any of the property described in paragraph 2 above, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property up

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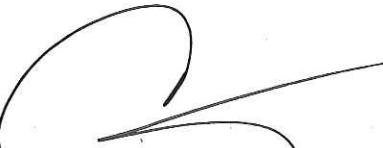
to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p).

DATED: January 5, 2023, at Honolulu, Hawaii.

A TRUE BILL

/s/ Foreperson

FOREPERSON, GRAND JURY


CLARE E. CONNORS
United States Attorney
District of Hawaii


W. KEAUPUNI AKINA
Assistant U.S. Attorney

United States v. Joey Nishimura
Indictment
Cr. No. CR 23-00007 LEK